

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Roger Smart,

Plaintiff,

V.

Experian,

Defendant.

CASE NO. 1:25-cv-00704

NOTICE OF REMOVAL

Sean Skedzielewski
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*Attorneys for Defendant
Experian Information Solutions, Inc.*

Pursuant to 28 U.S.C. § 1441 *et seq.*, Defendant Experian Information Solutions, Inc. (“Experian” or “Defendant”), hereby files this Notice of Removal of the above-captioned action to this Court and state as follows:

1. Experian is named Defendant in Civil Action No.404/2025 filed by Plaintiff Roger Smart (“Plaintiff”) in the Civil Court for the State of New York, County of Queens (the “State Court Action”).

2. The Complaint in the State Court Action was filed with the Clerk of the Civil Court on January 6, 2025.

3. This Notice is being filed with this Court within thirty (30) days after Experian received a copy of Plaintiff’s initial pleading setting forth the claims for relief upon which Plaintiff’s action is based.

4. This Court is the proper district court for removal because the State Court Action is pending within this district.

5. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon Experian in the State Court Action is attached hereto as Exhibit A.

6. Experian is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Experian uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a “consumer reporting agency” within the meaning of 15 U.S.C. § 1681a(f).

7. The claims for relief against Experian alleged in the State Court Action arise under the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 *et seq.* Thus, this Court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331 and 15

U.S.C. § 1681p. The above-captioned action may properly be removed to this United States District Court pursuant to 28 U.S.C. § 1441(a).

8. Promptly after the filing of this Notice of Removal, Experian shall provide notice of the removal to Plaintiff through his attorney of record in the State Court Action, and shall file a copy of this Notice with the clerk of the Court in the State Court Action, as required by 28 U.S.C. § 1446(d).

Dated: February 7, 2025

Respectfully Submitted,



Sean Skedzielewski

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Attorneys for Defendant

Experian Information Solutions, Inc.

CERTIFICATE OF SERVICE

I, Sean Skedzielewski, a lawyer admitted to practice in this Court, hereby certify under penalty of perjury that, on the 7th day of February, 2025, I caused the foregoing document to be served upon all parties of record via certified mail.

Dated: February 7, 2025

/s/ Sean Skedzielewski

Sean Skedzielewski